

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

DAVID G. EBERSOLE,	:	
	:	
Plaintiff	:	Civil Action No. 3:01CV 01924
	:	
v.	:	
	:	
LIEUTENANT KECK, JOHN J.	:	
BENNING, Sr., BRUCE BURGESS,	:	Judge Jones
MIKE ENK, STEVE LIDDICK,	:	
ROBERT SHELLENBERGER,	:	
WILLIAM HARTLEY,	:	
ZODA ZAUERS, "JOHN DOE"	:	
GILNETTE, "R.H.U GUARDS	:	
(1 st & 2 nd SHIFT, 9-10-01	:	
to 9-21-01)," all employees of	:	
SCI-Camp Hill,	:	
	:	
Defendants	:	

ORDER

August 22, 2005

THE BACKGROUND OF THIS ORDER IS AS FOLLOWS:

On August 12, 2005 we issued an Order appointing Samuel C. Stretton, Esq. as counsel for Plaintiff David G. Ebersole ("Plaintiff" or "Ebersole"). (See Rec. Doc. 199). After the filing of that Order, but likely before its receipt by Plaintiff, Ebersole filed two motions with this Court absent the assistance of his newly appointed counsel. On August 12, 2005, Plaintiff filed a Nunc Pro Tunc Motion

for Extension of Time to Amend or File Supplemental Discovery Requests and, on August 15, 2005, Plaintiff filed a Motion to Depose all Named Defendants at a Neutral Place. (See Rec. Docs. 200 and 201).

We will allow Plaintiff's newly appointed counsel twenty (20) days to show cause as to whether he intends to litigate, on behalf of Plaintiff, either of the currently pending Motions. In the interim, we will stay briefing on said Motions unless and until Plaintiff's counsel indicates an intent to litigate them further.

If Plaintiff's counsel fails to respond within twenty (20) days, we will deem said Motions withdrawn.

NOW, THEREFORE IT IS HEREBY ORDERED THAT:

1. Plaintiff's counsel shall have twenty (20) days from the date of this Order to show cause as to whether he intends to litigate Plaintiff's pro se Motions (Rec. Docs. 200 and 201) further. If, at the expiration of this period, the Court receives no response from Plaintiff's counsel we will deem said Motions withdrawn.
2. All briefing on Plaintiff's Motions (Rec. Docs. 200 and 201) is stayed pending a further order from this Court.

s/ John E. Jones III
John E. Jones III
United States District Judge